

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

United States District Court
Southern District of Texas

CRIMINAL COMPLAINT

Jose Arnaldo Martinez, Jr.
A208 278 829

YOB:

PRINCIPAL

1988

United States

JUN 24 2015

Case Number:

M-15-1023-M

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 22, 2015 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Georgina Noemi Molina-Hernandez, citizen and national of El Salvador, and Marcos Vasquez-Cortes, citizen and national of Mexico, and four (4) other undocumented aliens for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Rio Grande City, Texas to the point of arrest in Rio Grande City, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On June 22, 2015, at approximately 10:30 p.m., Border Patrol Agent J. Wood, who was operating the Raid Tower Camera System in Rio Grande City, Texas, observed a group of subjects cross the Rio Grande River on a raft. The group crossed on the upriver side of the Rio Grande City, Texas Port of Entry. Agent Wood maintained visual of the group as they ran toward a neighborhood street and entered a dark, four door, Chevrolet, pickup truck.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ NoApproved to file Kimberly Ann Leo
AUSA

Signature of Complainant

Sworn to before me and subscribed in my presence,

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

June 24, 2015

Date

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15-1023-M

RE: Jose Arnoldo Martinez

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CONTINUATION:

Agent Wood relayed his observations and the direction of travel of the pickup to responding agents. Agent P. Mastandrea, who was responding, observed a blue truck matching the description given, coming out of the neighborhood, and proceeded to follow it. Agent Wood never lost sight of the Chevy truck and advised Agent Mastandrea that he was following the same vehicle that had loaded up.

Agent Mastandrea conducted a vehicle stop on the Chevrolet to check the immigration status of the occupants. As soon as the truck stopped, the front passenger opened the door and absconded. The driver, identified as Jose Arnoldo MARTINEZ, never left the driver's seat, and was determined to be a United States Citizen. The six passengers were determined to be undocumented aliens. All subjects were transported to the Rio Grande City Border Patrol Station for processing.

PRINCIPAL'S STATEMENT:

Once at the Rio Grande City Border Patrol Station, Jose Arnoldo MARTINEZ was advised of his Miranda Rights by Agents. MARTINEZ understood his rights and requested an attorney.

MATERIAL WITNESSES' STATEMENTS:

Once at the Border Patrol Station, both of the material witnesses were advised of their Miranda Rights. Both stated that they understood their rights and were willing to provide a statement without the presence of an attorney.

1- Georgina Noemi Molina-Hernandez, a citizen of El Salvador, stated that her brother made the arrangements for her to be smuggled into the United States. Her brother was going to pay a total of \$9,000 for her to be taken to California. On June 22, 2015, at approximately 11:00 p.m., her group was smuggled by raft across the Rio Grande River. Once in the U.S., the guide told them to run, cross a fence, and that someone was going to be waiting for them. After doing as they were told, they boarded a dark color pickup truck. She noticed that there were two men already inside the truck when they got in. They drove for about two minutes when the driver stated there was Border Patrol in the area. She was sitting behind the driver's side front seat and was able to see the driver. Molina identified Jose Arnoldo MARTINEZ in a photo lineup as the driver of the vehicle.

2- Marcos Vasquez-Cortes, a citizen of Mexico, stated that his uncle made the arrangements for him to be smuggled into the United States. His uncle was going to pay a total of \$4,500. Once in the U.S., they ran from the river to a mesh fence and jumped it. A dark four door pickup truck arrived and picked them up. When they boarded the truck, the driver told them to duck down. When the driver spotted Border Patrol, he told them to get down and not to move. The driver further stated that he was sure that he was going to get stopped. They were stopped shortly after. VASQUEZ was able to see the driver wearing a black shirt and that he had a tattoo on his left arm. VASQUEZ was able to identify Jose Arnoldo MARTINEZ in a photo lineup as the driver of the vehicle.